

Prohibited Items Program

I. PURPOSE

This directive establishes FPS policy for applying security force countermeasures to mitigate prohibited item entry at Federal properties. It applies to all facilities or properties under the control of the General Services Administration (GSA) and any facilities or properties owned, leased, or occupied by any Federal agency contracting with FPS to provide security service.

II. SCOPE

- A. This directive is not intended to conflict with any Federal laws or regulations, nor does it apply to searches and seizures related to a criminal investigation or arrest.
- B. FPS Policy Directive FPS-07-002, "Facility Entry Control," April 23, 2007 is superseded in part.

III. AUTHORITIES/REFERENCES

- A. 18 U.S.C. §930, "Possession of Firearms and Dangerous Weapons in Federal Facilities."
- B. 40 U.S.C. §1315, "Law Enforcement Authority of Secretary of Homeland Security for Protection of Public Property."
- C. 41 C.F.R. 102-71.20 "What Definitions Apply to GSA's Real Property Policies."
- D. 41 C.F.R. 102-74, Subpart C-Conduct on Federal Property.
- E. FPS Directive 15.5.1.5, "Initial Offense/Incident Case Reporting," February 16, 2011.
- F. FPS Directive 15.9.1.6, "Security Post Desk Book Program," September 30, 2010.

IV. DEFINITIONS

- A. **Access Control**. The use of physical and procedural controls to ensure only authorized individuals or items are given access to a facility or secure area.
- B. **Alarm**. An audible or visual signal that functions as an alerting mechanism.

- C. **Authorized Identification.** A document or documents issued by a foreign or U.S. federal, state, tribal, or local government, containing sufficient descriptive information to positively establish the identity of an individual requesting access to a Federal facility protected by FPS.
- D. **Countermeasure.** A security device, procedure, or person designed and implemented or trained to mitigate the risk of identified credible threats at a facility.
- E. **Dangerous Weapon.** A weapon, device, instrument, material, or substance, (animate or inanimate), that is used for or is readily capable of causing death or serious bodily injury, excluding a pocket knife with a blade of less than two-and-a-half inches in length.
- F. **Designated Official (DO).** The highest-ranking official of the primary agency occupying a Federal facility, or, alternatively, the individual selected by mutual agreement of that agency.
- G. **Enterprise Information System (EIS).** A web-based program in which information is entered to report and record facility information.
- H. **Exceptions.** As used in the context of prohibited items, exceptions are temporary in nature and granted for specific occurrences or a defined time period.
- I. **Exemptions.** As used in the context of prohibited items, exemptions are permanent in nature until rescinded.
- J. **Facility Security Committee (FSC).** A body consisting of representatives of GSA, FPS, and each tenant agency, or the DO of a single tenant agency, occupying a facility protected by FPS. Among its other duties, the FSC is responsible for reviewing and approving countermeasure recommendations, funding countermeasure applications, and identifying and addressing the facility's security concerns. For purposes of this directive, the term FSC may also include the DO or other authorized agency representative.
- K. **Incident.** Any event affecting the safety, security, or protection of property, a facility, or occupant that requires a response, investigation, or other follow-up.
- L. **Law Enforcement Officer (LEO).** An officer, agent, or employee of the United States, a state, or a political subdivision thereof, authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law.
- M. **Occupant.** An employee or contract employee permanently or regularly assigned to a building. This may also include the employees of non-Federal tenants of the building. The FSC establishes thresholds for determining who qualifies for "occupant" status.
- N. **Offense.** A violation of Federal, state, or local criminal law or regulation, for which a violator could be subject to prosecution.

- O. **Prohibited Item.** An item, legal or illegal in nature, where possession is restricted from entry into a facility by Federal, state, or local law, regulation, court order, rule, or FSC policy.
- P. **Prohibited Items Report.** A list in which each prohibited item discovered is recorded. Information from this report is entered weekly in EIS.
- Q. **Protective Security Officer (PSO).** A member of a protective security force and an element of a security post who has the training, equipment, and appropriate certifications to perform a specific security function.
- R. **Screener.** An individual performing a screening function at a security post. The screener may be a LEO or a contract PSO.
- S. **Screening Event.** The presentation, review, decision, and disposition related to an item being introduced into a facility, whether in plain view, concealed on a person, or in a container.
- T. **Security Post.** A countermeasure consisting of at least one PSO that serves a specific security function. There are five (5) basic types of Security Posts (general descriptions provided below, specific duties are outlined in individual post orders):
1. Access Control (Personnel/Vehicle) – Security post where access to Federal facilities is controlled by a PSO to ensure that only authorized personnel/vehicles enter.
 2. Control Center Operations – Monitors facility security control center (i.e., closed circuit video (CCV) and security and fire alarms).
 3. Patrol and Response – Patrols area of operation as outlined in post orders and responds to calls for assistance and/or emergencies.
 4. Screening (Package/Personnel/Vehicle) – Screens packages, personnel, and vehicles for prohibited items.
 5. Visitor Processing – Processes visitors, maintains agency contact lists, and issues appropriate access passes/badges.
- U. **Security Screening.** An electronic, visual, or manual inspection or search of persons, vehicles, packages, and containers for the purpose of detecting the possession or attempted introduction of illegal, prohibited, or other dangerous items.
- V. **Security Station.** A space comprised of an arrangement of multiple security posts to provide an integrated security process at a specific location.

V. RESPONSIBILITIES

- A. **Director, FPS** shall have overall responsibility for the facility security program.
- B. **Deputy Director, Operations** shall ensure coordination of the Office of General Counsel, Assistant Directors for Field Operations, Regional Directors, and the Risk Management Division Director to ensure implementation per this directive.
- C. **Office of General Counsel-FPS** shall establish a process to review potential infringements of relevant civil rights and civil liberties statutes pertaining to prohibited items.
- D. **Assistant Directors for Field Operations (ADFO)** shall oversee regional actions to ensure compliance with this directive.
- E. **Director, Risk Management Division** shall ensure that policies, procedures, and plans adequately set forth FPS responsibilities for the prohibited items program.
- F. **Regional Director** shall oversee implementation of the security force program policies and procedures.
- G. **Chief, Risk Management Branch** shall:
 - 1. Ensure the collection of Prohibited Items Reports and entry of the information into EIS on a weekly basis.
 - 2. Establish a process to accommodate V.G.8 of this Directive.
- H. **District Commanders and Area Commanders** shall ensure that security posts and stations designed and implemented by FPS conform to the policies in this directive.
- I. **Regional Protective Security Officer Program Manager and Contracting Officer's Representative (COR)** shall:
 - 1. Ensure that Post Orders are at every security post.
 - 2. Develop and implement written procedures that ensure effective contract compliance monitoring for PSO performance.
- J. **FPS Law Enforcement Security Officer (LEO)** shall:
 - 1. Prior to establishing a security screening post, provide a copy of Attachment 1: "FPS Recommended Prohibited Items Reference", and Attachment 2: "Procedures for Exceptions and Exemptions to Otherwise Prohibited Items" to the FSC.
 - 2. Prior to establishing a visitor processing post, provide a copy of Attachment 3: "Alternative Documents to a State-Issued Credential" to the FSC.

3. Provide recommendations to, and obtain approval from, the FSC for a process that includes routine, after-hours, and emergency accommodations for facility employee, tenant, and visitor access.
4. Provide recommendations to, and obtain approval from, the FSC for a process that includes allowing exceptions and exemptions to prohibited items for disability access, religious exercise, agency business, or other purposes as necessary or required by law.
5. Advise FSC that rights granted by federal law may require the granting of certain exception and exemption requests to accommodate religious exercise, disabilities, or other civil rights and liberties, and that the FSC members should consult their legal counsel on these topics as relevant. Further advise FSC that FPS will not enforce the prohibition of any items that by their nature and use would be allowed in a Federal facility under relevant Federal law, including but not limited to Title VII of the Civil Rights Act of 1964, the Religious Freedom Restoration Act ("RFRA"), the Americans with Disabilities Act ("ADA"), and the Rehabilitation Act.
6. Provide recommendations to, and obtain approval from, the FSC for a process for notifying, reporting, obtaining custody of, transferring, and disposing of prohibited items.
7. Establish the types, locations, and arrangements of posts and stations, and integrate appropriate countermeasures, including traffic and ballistic barriers, lighting, video, duress alarms, and signage, to ensure the design and implementation of security posts and stations mitigate identified vulnerabilities and comply with this directive.
8. Develop, and revise as necessary, post orders that prescribe the access control, screening, and identification procedures for his/her respective facilities including the criteria for occupant and visitor; acceptable credentials for physical access and identification; items prohibited from the facility and any exceptions and exemptions; procedures for notification; weekly reporting; custody, transfer, and disposal; special accommodations for items; and procedures for operator-level equipment testing and calibration.
9. Forward through the chain-of-command, as described in Attachment 2 "FPS Procedures for Exceptions and Exemptions to Otherwise Prohibited Items", any unresolved complaints or inquiries regarding an otherwise-prohibited item that an individual claims should be admitted into a facility under federal law.
10. Instruct the FSC that the notice of the "Rules and Regulations Governing Conduct on Federal Property" should be posted in accordance with 41 C.F.R. §102-74.365 and 18 U.S.C. §930(h).

VI. POLICY AND REQUIREMENTS

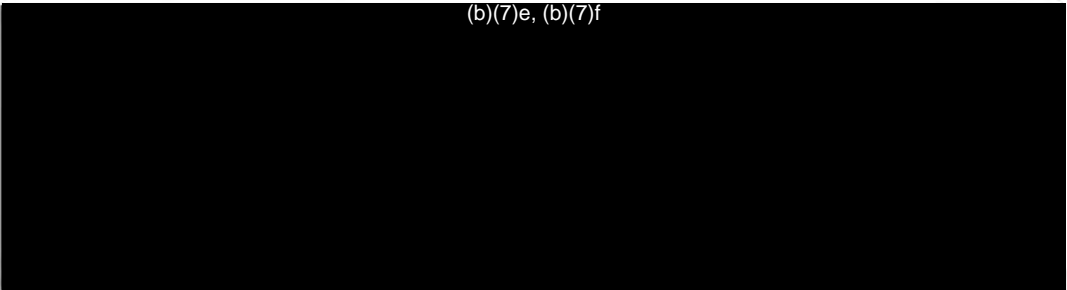
- A. FPS shall provide risk-based recommendations to FSCs regarding the establishment of a protective security force with one or more security posts as appropriate for access control, security screening, visitor processing, patrol and response, and/or control center operations as needed, to mitigate vulnerabilities to identified credible threats.
1. Design of security posts shall, as appropriate for officer safety, incorporate integration of surveillance, alarm, barrier, and communications systems, including duress alarms and surveillance cameras.
 2. (b)(7)e, (b)(7)f
 - This includes each screening device in use at a security inspection station. In order to safely manage traffic and throughput, an increase of staffing for access control, patrol and response, and screening security posts may be necessary.
 - High-risk facilities with high-volume traffic may also merit security patrol posts to monitor the overall screening and queuing area to augment inspection station operations and as necessary for occupant, public, and officer safety.
- B. Any facility that utilizes security screening shall be considered a sensitive government facility where the government has a substantial interest in protecting property and occupants.
- C. Federal Management Regulations and 40 U.S.C. § 1315 require that facility rules and regulations be posted. A placard of the "Rules and Regulations Governing Conduct on Federal Property" shall be prominently displayed at facility entrances or all screening posts in accordance with 41 C.F.R. § 102-74.365 and pursuant to 40 U.S.C. § 1315(c)(1) posted in a conspicuous manner. Furthermore, 18 U.S.C. § 930(h) requires posting of illegal possession of firearms and dangerous weapons in Federal facilities in a conspicuous manner.
- D. FPS shall seek to exclude prohibited items from entering the facility through a post after the following requirements have been met:
1. The FSC approves a Prohibited Items Reference list and the list is included in the Post Orders for screening posts.
 2. The FSC approves a procedure for allowing exceptions and exemptions for routine, after-hours, and emergency situations so that prohibited items granted an exception or exemption may be allowed into the facility when necessary. FPS reserves the right to grant access through a security screening post for a prohibited item that otherwise has a legitimate and legal basis for being carried or possessed in a Federal facility even in situations where the FSC does not approve an exception or exemption. Similarly, FPS reserves the right to deny

access through a security screening post for a prohibited item granted an exception or exemption by the FSC if FPS determines the possession of the excepted or exempted prohibited item in a Federal facility is in violation of Federal law.

3. A placard of the "Rules and Regulations Governing Conduct on Federal Property" and the statement "Persons entering this property must comply with electronic screening procedures" is prominently displayed at facility entrances and all screening posts.

E.

(b)(7)e, (b)(7)f



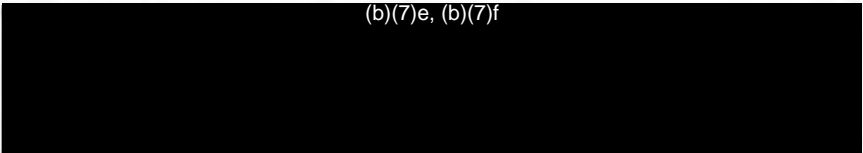
F. **Access Control**

1. Refusal to Comply with Access Procedures:

- PSO screeners shall deny facility or property access to any person refusing to comply with access procedures.

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(b)(7)e, (b)(7)f



2. Non-FPS Armed LEO Access:

- Armed LEOs with recurring facility access shall follow established facility access procedures.
- Armed LEOs without recurring facility access who are responding to emergencies shall access the facility without further delay once they have been identified and the nature of the emergency has been obtained.
- Armed Federal LEOs without recurring facility access on non-emergency official business shall be exempt from screening but must follow facility procedures for visitor processing and weapons control.
- It is unlawful for an armed state or local LEO to possess a firearm in a Federal facility unless there is an official purpose for being armed in the Federal facility.

3. Armed Couriers:

- Armed Couriers do not meet the armed LEO qualifications for entry to federal facilities.
- The FSC and/or the tenant may coordinate with FPS to allow the armored vehicle access to federal property such as parking in a secure area or loading dock while the couriers conduct their business. The courier must leave his/her weapon(s) in the vehicle and the driver may remain armed while the other individual enters the facility.
- If the FSC and/or tenant want the couriers to remain armed while conducting official business in the Federal facility, they can coordinate with FPS to provide a PSO for an escort. The LEO would make the necessary modifications to the Post Orders. The FSC and/or tenant is responsible for providing funding to cover all costs that may result from this additional duty or post.
- If a tenant has armed law enforcement personnel onsite, the tenant may provide the armed escort.

4. The DO may direct the closure of a facility entrance.

5. Activation of the Occupant Emergency Plan (OEP) may result in suspension of affected access control operations in order to facilitate any necessary evacuations, security of the facility, or shelter-in-place requirements.

G. Security Screening

1. Refusal to Comply with Screening Procedures:

- Screeners shall deny facility or property access to any person refusing to comply with facility screening procedures.

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2. (b)(7)e, (b)(7)f

3. Individuals, vehicles, or packages with prohibited items identified during security screening, including dangerous and illegal items, shall not be provided entry to the facility through screening posts.

4. The screener shall take control of all illegal items detected during the screening processes irrespective of an arrest and law enforcement response, notify the MegaCenter, and document the offense through established initial case reporting procedures.
5. The screener shall direct the possessor to remove, from the facility, prohibited items that would otherwise be legal. The screener shall document the incident through established reporting procedures.
 - If the individual informs the screener of a need to carry a legal but prohibited item into the facility, including under a claim of civil rights or civil liberties, such as accommodation for religious belief, medical need, or disability, the screener shall refer the requester to contact FSC representatives to process a request for an exception or exemption to the facility's prohibited items list or restrictions.
 - The screener and LEO should generally attempt to resolve situations regarding legal, but prohibited items without citation or arrest wherever possible.
 - The screener will allow access of prohibited items that have been granted an exception or exemption by the FSC or by FPS.
6. Screeners shall not hold or maintain prohibited items in the facility unless the FSC provides secure storage and inventory management with procedural provisions documented in the post orders.
7. The testing and calibration of security screening equipment shall be in accordance with manufacturer or supplier instructions.
8. The DO may direct the closure of a security post or inspection station.
9. Notification of a perceived or actual emergency in the facility, or activation of the OEP shall result in suspension of regular security screening operations in order to facilitate any necessary evacuations, security of the facility, or shelter-in-place requirements.

H. **Special Screening Situations**

1. **Animals.** Screeners shall direct an individual entering the facility with a permissible service animal to walk through the machine with the animal. If an alarm sounds, screeners shall implement alarm resolution procedures for both the handler and the animal. All saddlebags or pouches shall be subject to visual and pat down inspections or x-ray inspection.
2. **Children.** Screeners shall direct adults entering the facility with infants and small children to ensure the children pass through the metal detector. If an alarm sounds, screeners shall implement alarm resolution procedures for both the

adult and children. All carriers and strollers shall be subject to visual and pat down inspections.

3. **Electronic Devices.** All electronic devices shall be subject to x-ray screening or if no x-ray machine is available, manual inspection.
4. **Equipment Failure or Degraded Equipment.** In the event of equipment failure, degradation of performance, or equipment malfunction, screeners shall implement alternative methods for screening including using other equipment, visual, and/or manual inspections.
5. **Food and Beverage Items.** Screeners shall direct individuals bringing food or beverage items into the facility to hand-carry the items as they walk through the metal detector or subject the items to x-ray screening. In the event the food or beverage items do not go through the x-ray or metal detector, the screener shall subject the items to a visual and manual inspection.
6. **Mobility Assistive Devices.** Screeners shall carefully inspect (both visually and via hand-wand and/or pat down searches) people in wheelchairs, on crutches, using a cane, or any mobility aid, to ensure there are no weapons or other prohibited items on the individual, or hidden in a wheelchair or mobility aid. Although the examination shall be thorough, the screener shall be sensitive in his/her approach.
7. **Pacemakers.** Screeners shall not require an individual with a pacemaker to pass through the metal detector. Upon notification that an individual has a pacemaker, screeners shall use the portable metal detector and abbreviated pat down method, patting down the area of the heart and restricting the use of the portable metal detector to screen the rest of the body.
8. **Office Supplies and Tools.** Unless otherwise directed by an FSC, office supplies and tools that are used by federal employees and contractors in the performance of their official duties will not be deemed "prohibited items," to the extent they are used for a lawful purpose that is related to the federal facility. Individual FSCs, however, have the discretion to prohibit or restrict the possession and/or entry of certain office supplies and contractor tools, subject to the procedures for exceptions and exemptions described in Attachment 2.
9. **Pregnant Women.** Screeners shall not require pregnant women to pass through the metal detector. Upon notification of a pregnancy, screeners shall use the portable metal detector and abbreviated pat down method, patting down the area of the abdomen and restricting the use of the portable metal detector to screen the rest of the body. Whenever possible a female shall conduct the pat down.
10. **Prosthetics and Casts/Splints.** Screeners shall not require an individual with a prosthetic device or cast/splint to pass through the metal detector. Upon notification of a prosthetic, cast, or splint, including those individuals who identify

this as the reason for alarm activation from the walk-through metal detector, screeners shall use the portable metal detector or pat down method, subjecting the area of the prosthetic/cast/splint to pat down and visual inspection.

11. **Exceptions or exemptions, including for civil rights and civil liberties.**
Procedures for otherwise prohibited items in which a claim is made seeking accommodation—including based on civil rights and civil liberties under Federal laws such as Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Rehabilitation Act, and the Religious Freedom Restoration Act—are governed by Attachment 2.

I. Control Center Operations

1. Screeners assigned to Control Center Operations Posts shall serve as the central point for all communication and information entering/leaving the facility, as well as operate and monitor security and safety systems. This post shall also serve as the emergency contact for local first responders (e.g., fire, police, and emergency medical personnel).

J. Documentation

1. The screener shall document each prohibited item discovered using “Prohibited Items Report” (Attachment 4).
2. Data entry of the information on the “Facility Weekly Prohibited Items Report” into EIS must occur no later than 1700 hours on the next business day following the reporting period (Monday through Sunday).

VII. ATTACHMENTS

Attachment 1: “FPS Recommended Prohibited Items Reference”


Attachment 2: “Procedures for Exceptions and Exemptions to Otherwise Prohibited Items”

Attachment 3: “Alternative Documents to a State-Issued Credential”

Attachment 4: “Prohibited Items Report”

VIII. QUESTIONS

Address any questions or concerns regarding this directive to the Directives Manager, at FPSPolicy@dhs.gov.



L. Eric Patterson
Director
Federal Protective Service

DEC 10 2012

Date

NO PRIVATE RIGHT STATEMENT. This directive is an internal policy statement of FPS. It is not intended to, and does not create any rights, privileges, or benefits, substantive or procedural, enforceable by any party against the United States; its departments, agencies, or other entities; its officers or employees; or any other person.

Federal Protective Service Recommended Prohibited Items Reference

Prohibited items may include items that are dangerous, unlawful, or otherwise determined to create vulnerabilities to the tenant agency or the visiting public. The items in this reference are recommended to be prohibited from entering the Federal facility through a security screening post unless granted an exception or exemption by the FSC or FPS. FPS reserves the right to grant access through a security screening post for a prohibited item that otherwise has a legitimate and legal basis for being carried or possessed in a Federal facility even in situations where the FSC does not approve an exception or exemption.

A. Guns and Firearms

1. BB guns
2. Compressed air guns
3. Firearms (unless meeting the exceptions listed in 18 U.S.C. § 930)
4. Flare pistols
5. Gun lighters
6. Parts of guns and firearms
7. Pellet guns
8. Realistic replicas of firearms
9. Spear guns
10. Starter pistols
11. Stun guns/cattle prods/shocking devices
12. Ammunition

B. Bladed, Edged or Sharp Objects

1. Axes and hatchets
2. Bows and arrows
3. Drills, including cordless portable power drills
4. Ice axes/ice picks
5. Knives, sabers, swords, daggers, and other bladed devices of any length with the exception of a pocket knife with a blade of less than 2 ½ inches in length.
6. Razor-type blades such as box cutters, utility knives, and razor blades not in a cartridge, but excluding safety razors
7. Saws, including cordless portable power saws

Federal Protective Service Recommended Prohibited Items Reference

8. Scissors, metal with pointed tips
9. Screwdrivers (except those in eyeglass repair kits)
10. Throwing stars (martial arts)

C. Club-Like Items and Striking Devices

1. Baseball bats
2. Billy clubs
3. Blackjacks
4. Brass knuckles
5. Cricket bats
6. Crowbars
7. Golf clubs
8. Hammers
9. Hockey sticks
10. Lacrosse sticks
11. Martial arts weapons, including numchucks and kubatons
12. Night sticks
13. Pool cues
14. Ski poles
15. Tools, including, but not limited to wrenches and pliers

D. All Explosives Including

1. Ammunition
2. Blasting caps
3. Dynamite
4. Fireworks
5. Flares in any form
6. Gunpowder
7. Hand grenades

Federal Protective Service Recommended Prohibited Items Reference

8. Plastic explosives
9. Realistic replicas of explosives

E. Incendiaries

1. Aerosol sprays
2. Fuels, including cooking fuels and any flammable liquid fuel
3. Gasoline
4. Gas torches, including micro-torches and torch lighters
5. Turpentine and paint thinner
6. Realistic replicas of incendiaries

F. Disabling Chemicals and Other Dangerous Items

1. Chlorine for pools and spas
2. Compressed gas cylinders, including fire extinguishers
3. Liquid bleach
4. Mace
5. Pepper spray
6. Spillable batteries, except those in wheelchairs
7. Spray Paint
8. Tear gas

Federal Protective Service

Procedures for Exceptions and Exemptions to Otherwise Prohibited Items

1. BACKGROUND

- a. Some items that are otherwise prohibited from a particular Federal facility may have some other legitimate and lawful purpose or use in a Federal facility, including as accommodations for civil rights and civil liberties under Federal laws such as Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Rehabilitation Act, and the Religious Freedom Restoration Act.
- b. It is the primary responsibility of the Facility Security Committee¹ (FSC) of a particular Federal facility to determine and approve **exceptions** (defined as temporary in nature and granted for specific occurrences or a defined time period) and **exemptions** (defined as permanent in nature until rescinded) for otherwise prohibited items. It is the policy of the FPS, however, to reserve the right to grant access through an FPS security screening post of an otherwise prohibited item that an individual has a legitimate and lawful right to possess in a Federal facility as described above in Section 1.a. Likewise, FPS reserves the right to deny access through a security screening post for a prohibited item granted an exception or exemption by the FSC if FPS determines the possession of the excepted or exempted prohibited item in a Federal facility is in violation of Federal law.
- c. Recommended factors to consider when determining and approving exceptions and exemptions include the mission of the particular Federal facility and the status of the requestor asking for an exception or exemption. For example, a higher-risk facility security level based on the mission of its tenants might require heightened scrutiny in approving exceptions and exemptions; and a Federal employee or contractor who has been subjected to a security background check or suitability for employment might require less scrutiny for an exception or exemption than a member of the general public.

2. PROCEDURES

- a. When an individual attempts to gain admittance to a Federal facility, and is found to have an otherwise prohibited item that he or she asserts to be, or that the screener recognizes as religious or medical in nature, the screener should ask such individual whether he or she is requesting an accommodation for admittance with the item, and affirmatively advise him or her that the otherwise prohibited item can instead be removed from the facility, unless the item the individual seeks to bring into the facility is illegal (e.g., drugs).
- b. Post orders will include instructions for Protective Security Officers (PSO) to refer a requester to contact FSC representatives to process requests for exceptions or exemptions to the facility's prohibited items list or restrictions. Post orders will also include instructions that the requester will be told that he or she can readdress the FSC's denial of an exemption or exception with FPS, either through a verbal or written complaint made to the on-site PSO or

¹ A Facility Security Committee is a body consisting of representatives of GSA, FPS, and each tenant agency, or the DO of a single tenant agency, occupying a facility protected by FPS. Among its other duties, the FSC is responsible for reviewing and approving countermeasure recommendations, funding countermeasure applications, and identifying and addressing the facility's security concerns. For purposes of this directive, the term FSC may also include the DO or other authorized agency representative.

Federal Protective Service Procedures for Exceptions and Exemptions to Otherwise Prohibited Items

LEO, or through electronic communication to FPS HQ at FPS-RMD@dhs.gov. The illustrated wallet card template located at the end of this attachment is to be printed in quantity, placed with post order instructions on exceptions and exemptions, and provided to accommodation requestors.

- c. The following table showing fictional FSC contact information is provided as an example of processing requests for exceptions or exemptions, and a similar contact information sheet with actual points-of-contact for each facility must be included in post orders for screening posts:

SPONSOR	TITLE	AGENCY	TELEPHONE	EMAIL
Business Hours				
John Johnson	Buildings Manager	GSA/PBS	555-123-XXXX	j.j.johnson@gsa.gov
Frank Franklin	Field Office Director	DHS/OIG	555-678-XXXX	frank.franklin@dhs.gov
DHS Office of the General Counsel (OGC)	Attorney Advisor	OGC-FPS	877 4FPS 411 (1-877-437-7411) Ask for OGC-FPS	fpsinfo@dhs.gov (attn: OGC-FPS)
Non-Business Hours				
John Johnson	Buildings Manager	GSA/PBS	555-123-XXXX	j.j.johnson@gsa.gov

- d. The points-of-contact identified in a facility contact information sheet must provide written authorization or be physically present to sponsor an individual and allow the individual to bring prohibited items past screening posts and be carried into the facility. Isolated, one-time occurrences will be documented using operations logs, visitor logs, or initial case reports as directed in post orders. Sponsors may authorize possession of prohibited items telephonically when the items are necessary in response to a known emergency or other unanticipated circumstances and when physical presence or written authorization is not practical.
- e. FSCs may develop internal controls and documentation procedures for prohibited item exceptions and exemptions as necessary, but are required to provide a copy of their approved exceptions and exemptions to FPS for inclusion in post orders.
- f. FSCs should carefully consider—and seek legal counsel when necessary or appropriate—whether to grant or deny exceptions or exemptions for items that are otherwise prohibited from a particular Federal facility, but may have legitimate and lawful purposes or uses. In the event of a recurring situation, the FSC may choose to issue a standing blanket exemption to permit certain otherwise prohibited items into the facility under the conditions and circumstances specified in such standing blanket exemption.
- g. In situations where an FSC refuses to accommodate a request for such an exception or exemption, the responsible PSO or FPS LEO for the facility will implement the following procedural steps:

Step #1: Upon being told by an individual who attempted to get an exception or exemption from the FSC that he or she was denied an exception or exemption by an FSC or its representative, immediately notify the FPS MegaCenter of the complaint and request a LEO be dispatched to the facility if one is not already present.

Federal Protective Service Procedures for Exceptions and Exemptions to Otherwise Prohibited Items

Step #2: LEO will notify Area Commander of the complaint and inform the individual who is requesting access with an otherwise prohibited item that the matter will be reviewed by FPS.

Step #3: LEO attempts to readdress and resolve the complaint with the FSC or its representative. Simultaneously, the Area and/or District Commanders notify the Regional Director.

Step #4: The Region will notify a DHS Office of the General Counsel (OGC) attorney advisor assigned to support FPS at **877 4FPS 411 (1-877-437-7411)** of the complaint regarding the FSC's representative's refusal to grant an exception or exemption for an item the individual believes should be admitted to the Federal facility based on an otherwise legitimate and lawful use.

Step #5: If the LEO is unable to resolve the complaint within twenty four (24) hours of contact with the FSC or its representative, then the LEO will prepare a report of the FSC's denial of an exception or exemption, and forward to the DHS OGC attorney advisor assigned to support FPS the following information, if possible: any written information/request provided by the individual; description or photograph of the prohibited item and intended lawful use; and any other documentation associated with the prohibited item and individual.

Step #6: Upon receipt of the report and accompanying documentation, the DHS OGC attorney advisor assigned to support FPS, after consultation with the OGC counsel assigned to support CRCL, will advise the Director of FPS whether FPS should grant access to the Federal facility for the individual's otherwise prohibited item and subsequently notify the FSC and the individual of the Director's decision.

The procedures for exceptions and exemptions to prohibited items are also depicted in the attached flow chart.

Federal Protective Service Procedures for Exceptions and Exemptions to Otherwise Prohibited Items

Illustrated Wallet Card Template

Accommodation of Otherwise Prohibited Items

The Federal Protective Service (FPS) recognizes that some items that are otherwise prohibited from a Federal facility may have some other lawful purpose or use in a Federal facility, including as accommodations for civil rights or civil liberties under Federal law.

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The back of this card provides specific instructions on requesting an accommodation.

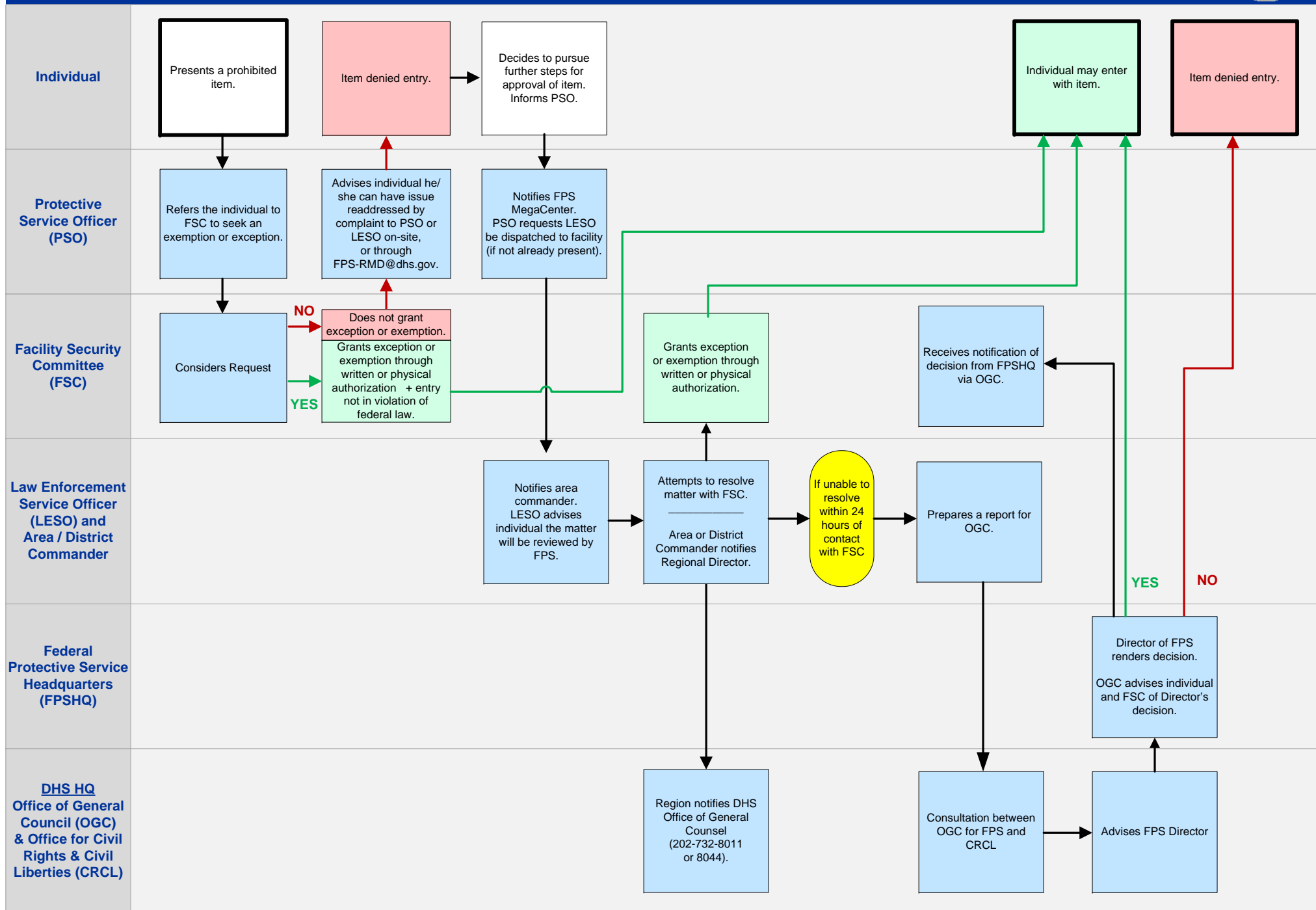
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2. Your complaint should include information explaining why you believe under Federal law that you should be able to enter the Federal facility possessing the prohibited item, and also whether you are requesting an exception (defined as temporary in nature and granted for a specific occurrence or defined amount of time) or exemption (defined as permanent in nature until rescinded).
3. Please be advised that an FPS accommodation for your prohibited item only applies to FPS protective security checkpoints – it may not ensure your ability to access building tenant workspace.

(Back)

Federal Protective Service Procedures for Exceptions and Exemptions to Prohibited Items



Alternative Documents to a State-Issued Credential

Alternative acceptable documents for use for access to Federal facilities include:

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- Certified copy of a birth certificate filed with a State Office of Vital Statistics or equivalent agency in the individual's State of birth.
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- Certificate of Naturalization issued by DHS, Form N-550 or Form N-570.
- Certificate of Citizenship, Form N-560 or Form N-561, issued by DHS.
- Other documents that DHS may designate by notice published in the Federal Register.

Prohibited Items Report

Facility Name		Building Number	
Facility Address		Post Number	
City/State			

Date of Attempted Access MM/DD/YY	Item Type <i>(check all that apply)</i>						Item Description	3155 Case Number (If applicable)
	Firearm	Ammunition	Explosive, Incendiary	Disabling Chemicals and Agents	Sharp Object	Other Banned Item		

This form is intended for reporting purposes. It is not to replace 3155 reporting processes for illegal firearms or other dangerous weapons.

Federal Protective Service Accommodating Sikh Articles of Faith*



Sikhism is a religion that originated in South Asia during the 15th Century; it is distinct from both Hinduism and Islam. The *Kirpan*, a religious sword, and the *Kara*, a metal bracelet, are both Sikh articles of faith.

***Kirpan*:** The *Kirpan* typically has a wooden or steel handle, with a blade that may or may not be dull, and signifies the duty of a Sikh to stand against injustice. There is no prescribed blade length for the *Kirpan*; its size varies based on personal choice. The majority of *Kirpan* blades range in size from 3 to 6 inches, but blades may be as small as 2 inches. Unless used during a religious ceremony, *Kirpans* are always sheathed. There are some Sikhs who believe a *Kirpan* must be worn at all times, so they may not want to leave it at the checkpoint.



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Considerations when Presented with Articles of the Sikh Faith

Show respect to all variations of the articles of the Sikh faith during inspections.

A *Kara* that cannot be removed may be searched while on the person and/or may be scanned with a handheld metal detector.

A *Kirpan* may qualify as a “dangerous weapon” under 18 U.S.C. § 930, which generally prohibits knives with blades 2.5 inches or longer, unless otherwise authorized. Before such a *Kirpan* may be carried into a Federal facility, an exception or exemption to the prohibited items policy would be necessary; procedures are described in FPS Directive 15.9.3.1.

A *Kirpan* with a blade of less than 2.5 inches may be permitted in a Federal facility without an exception or exemption, unless it is used as a dangerous weapon.

Exceptions and Exemptions for Otherwise Prohibited Items

Individuals requesting to bring in an otherwise prohibited item, which may include a *Kirpan* with a blade of 2.5 inches or longer, should be referred to a Facility Security Committee (FSC) representative to determine if an **exception** (temporary in nature and granted for specific occurrences or a defined time period) or **exemption** (permanent in nature until rescinded) to the general prohibition is appropriate.

If the FSC issues an exception or exemption, the individual would be allowed to enter with the item unless the possession is in violation of Federal law.

An individual may enter a facility, absent any other security impediment, if the prohibited item is removed and stored off the premises.

If the FSC denies entry with the prohibited item, then the individual may request that FPS review FSC’s decision by either making a verbal or written complaint to an on-site Protective Security Officer or other FPS official, or through e-mail to FPS Headquarters at FPS-RMD@dhs.gov.

** This training document does not apply to a Federal court within a FPS secured facility; the chief judge or designee has authority to promulgate rules or orders regulating, restricting, or prohibiting the possession of weapons within any facility housing the Federal court or any of its proceedings, or upon any grounds adjacent to the facility.*

Federal Protective Service Recommended Prohibited Items Reference

Prohibited items may include items that are dangerous, unlawful, or otherwise determined to create vulnerabilities to the tenant agency or the visiting public. The items in this reference are recommended to be prohibited from entering the Federal facility through a security screening post unless granted an exception or exemption by the FSC or FPS. FPS reserves the right to grant access through a security screening post for a prohibited item that otherwise has a legitimate and legal basis for being carried or possessed in a Federal facility even in situations where the FSC does not approve an exception or exemption.

A. Guns and Firearms

1. BB guns
2. Compressed air guns
3. Firearms (unless meeting the exceptions listed in 18 U.S.C. § 930)
4. Flare pistols
5. Gun lighters
6. Parts of guns and firearms
7. Pellet guns
8. Realistic replicas of firearms
9. Spear guns
10. Starter pistols
11. Stun guns/cattle prods/shocking devices
12. Ammunition

B. Bladed, Edged or Sharp Objects

1. Axes and hatchets
2. Bows and arrows
3. Drills, including cordless portable power drills
4. Ice axes/ice picks
5. Knives, sabers, swords, daggers, and other bladed devices of any length with the exception of a pocket knife with a blade of less than 2 ½ inches in length.
6. Razor-type blades such as box cutters, utility knives, and razor blades not in a cartridge, but excluding safety razors
7. Saws, including cordless portable power saws

Federal Protective Service Recommended Prohibited Items Reference

8. Scissors, metal with pointed tips
9. Screwdrivers (except those in eyeglass repair kits)
10. Throwing stars (martial arts)

C. Club-Like Items and Striking Devices

1. Baseball bats
2. Billy clubs
3. Blackjacks
4. Brass knuckles
5. Cricket bats
6. Crowbars
7. Golf clubs
8. Hammers
9. Hockey sticks
10. Lacrosse sticks
11. Martial arts weapons, including numchucks and kubatons
12. Night sticks
13. Pool cues
14. Ski poles
15. Tools, including, but not limited to wrenches and pliers

D. All Explosives Including

1. Ammunition
2. Blasting caps
3. Dynamite
4. Fireworks
5. Flares in any form
6. Gunpowder
7. Hand grenades

Federal Protective Service Recommended Prohibited Items Reference

8. Plastic explosives
9. Realistic replicas of explosives

E. Incendiaries

1. Aerosol sprays
2. Fuels, including cooking fuels and any flammable liquid fuel
3. Gasoline
4. Gas torches, including micro-torches and torch lighters
5. Turpentine and paint thinner
6. Realistic replicas of incendiaries

F. Disabling Chemicals and Other Dangerous Items

1. Chlorine for pools and spas
2. Compressed gas cylinders, including fire extinguishers
3. Liquid bleach
4. Mace
5. Pepper spray
6. Spillable batteries, except those in wheelchairs
7. Spray Paint
8. Tear gas

Federal Protective Service

Procedures for Exceptions and Exemptions to Otherwise Prohibited Items

1. BACKGROUND

- a. Some items that are otherwise prohibited from a particular Federal facility may have some other legitimate and lawful purpose or use in a Federal facility, including as accommodations for civil rights and civil liberties under Federal laws such as Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Rehabilitation Act, and the Religious Freedom Restoration Act.
- b. It is the primary responsibility of the Facility Security Committee¹ (FSC) of a particular Federal facility to determine and approve **exceptions** (defined as temporary in nature and granted for specific occurrences or a defined time period) and **exemptions** (defined as permanent in nature until rescinded) for otherwise prohibited items. It is the policy of the FPS, however, to reserve the right to grant access through an FPS security screening post of an otherwise prohibited item that an individual has a legitimate and lawful right to possess in a Federal facility as described above in Section 1.a. Likewise, FPS reserves the right to deny access through a security screening post for a prohibited item granted an exception or exemption by the FSC if FPS determines the possession of the excepted or exempted prohibited item in a Federal facility is in violation of Federal law.
- c. Recommended factors to consider when determining and approving exceptions and exemptions include the mission of the particular Federal facility and the status of the requestor asking for an exception or exemption. For example, a higher-risk facility security level based on the mission of its tenants might require heightened scrutiny in approving exceptions and exemptions; and a Federal employee or contractor who has been subjected to a security background check or suitability for employment might require less scrutiny for an exception or exemption than a member of the general public.

2. PROCEDURES

- a. When an individual attempts to gain admittance to a Federal facility, and is found to have an otherwise prohibited item that he or she asserts to be, or that the screener recognizes as religious or medical in nature, the screener should ask such individual whether he or she is requesting an accommodation for admittance with the item, and affirmatively advise him or her that the otherwise prohibited item can instead be removed from the facility, unless the item the individual seeks to bring into the facility is illegal (e.g., drugs).
- b. Post orders will include instructions for Protective Security Officers (PSO) to refer a requester to contact FSC representatives to process requests for exceptions or exemptions to the facility's prohibited items list or restrictions. Post orders will also include instructions that the requester will be told that he or she can readdress the FSC's denial of an exemption or exception with FPS, either through a verbal or written complaint made to the on-site PSO or

¹ A Facility Security Committee is a body consisting of representatives of GSA, FPS, and each tenant agency, or the DO of a single tenant agency, occupying a facility protected by FPS. Among its other duties, the FSC is responsible for reviewing and approving countermeasure recommendations, funding countermeasure applications, and identifying and addressing the facility's security concerns. For purposes of this directive, the term FSC may also include the DO or other authorized agency representative.

Federal Protective Service Procedures for Exceptions and Exemptions to Otherwise Prohibited Items

LEO, or through electronic communication to FPS HQ at FPS-RMD@dhs.gov. The illustrated wallet card template located at the end of this attachment is to be printed in quantity, placed with post order instructions on exceptions and exemptions, and provided to accommodation requestors.

- c. The following table showing fictional FSC contact information is provided as an example of processing requests for exceptions or exemptions, and a similar contact information sheet with actual points-of-contact for each facility must be included in post orders for screening posts:

SPONSOR	TITLE	AGENCY	TELEPHONE	EMAIL
Business Hours				
John Johnson	Buildings Manager	GSA/PBS	555-123-XXXX	j.j.johnson@gsa.gov
Frank Franklin	Field Office Director	DHS/OIG	555-678-XXXX	frank.franklin@dhs.gov
DHS Office of the General Counsel (OGC)	Attorney Advisor	OGC-FPS	877 4FPS 411 (1-877-437-7411) Ask for OGC-FPS	fpsinfo@dhs.gov (attn: OGC-FPS)
Non-Business Hours				
John Johnson	Buildings Manager	GSA/PBS	555-123-XXXX	j.j.johnson@gsa.gov

- d. The points-of-contact identified in a facility contact information sheet must provide written authorization or be physically present to sponsor an individual and allow the individual to bring prohibited items past screening posts and be carried into the facility. Isolated, one-time occurrences will be documented using operations logs, visitor logs, or initial case reports as directed in post orders. Sponsors may authorize possession of prohibited items telephonically when the items are necessary in response to a known emergency or other unanticipated circumstances and when physical presence or written authorization is not practical.
- e. FSCs may develop internal controls and documentation procedures for prohibited item exceptions and exemptions as necessary, but are required to provide a copy of their approved exceptions and exemptions to FPS for inclusion in post orders.
- f. FSCs should carefully consider—and seek legal counsel when necessary or appropriate—whether to grant or deny exceptions or exemptions for items that are otherwise prohibited from a particular Federal facility, but may have legitimate and lawful purposes or uses. In the event of a recurring situation, the FSC may choose to issue a standing blanket exemption to permit certain otherwise prohibited items into the facility under the conditions and circumstances specified in such standing blanket exemption.
- g. In situations where an FSC refuses to accommodate a request for such an exception or exemption, the responsible PSO or FPS LEO for the facility will implement the following procedural steps:

Step #1: Upon being told by an individual who attempted to get an exception or exemption from the FSC that he or she was denied an exception or exemption by an FSC or its representative, immediately notify the FPS MegaCenter of the complaint and request a LEO be dispatched to the facility if one is not already present.

Federal Protective Service Procedures for Exceptions and Exemptions to Otherwise Prohibited Items

Step #2: LEO will notify Area Commander of the complaint and inform the individual who is requesting access with an otherwise prohibited item that the matter will be reviewed by FPS.

Step #3: LEO attempts to readdress and resolve the complaint with the FSC or its representative. Simultaneously, the Area and/or District Commanders notify the Regional Director.

Step #4: The Region will notify a DHS Office of the General Counsel (OGC) attorney advisor assigned to support FPS at **877 4FPS 411 (1-877-437-7411)** of the complaint regarding the FSC's representative's refusal to grant an exception or exemption for an item the individual believes should be admitted to the Federal facility based on an otherwise legitimate and lawful use.

Step #5: If the LEO is unable to resolve the complaint within twenty four (24) hours of contact with the FSC or its representative, then the LEO will prepare a report of the FSC's denial of an exception or exemption, and forward to the DHS OGC attorney advisor assigned to support FPS the following information, if possible: any written information/request provided by the individual; description or photograph of the prohibited item and intended lawful use; and any other documentation associated with the prohibited item and individual.

Step #6: Upon receipt of the report and accompanying documentation, the DHS OGC attorney advisor assigned to support FPS, after consultation with the OGC counsel assigned to support CRCL, will advise the Director of FPS whether FPS should grant access to the Federal facility for the individual's otherwise prohibited item and subsequently notify the FSC and the individual of the Director's decision.

The procedures for exceptions and exemptions to prohibited items are also depicted in the attached flow chart.

Federal Protective Service Procedures for Exceptions and Exemptions to Otherwise Prohibited Items

Illustrated Wallet Card Template

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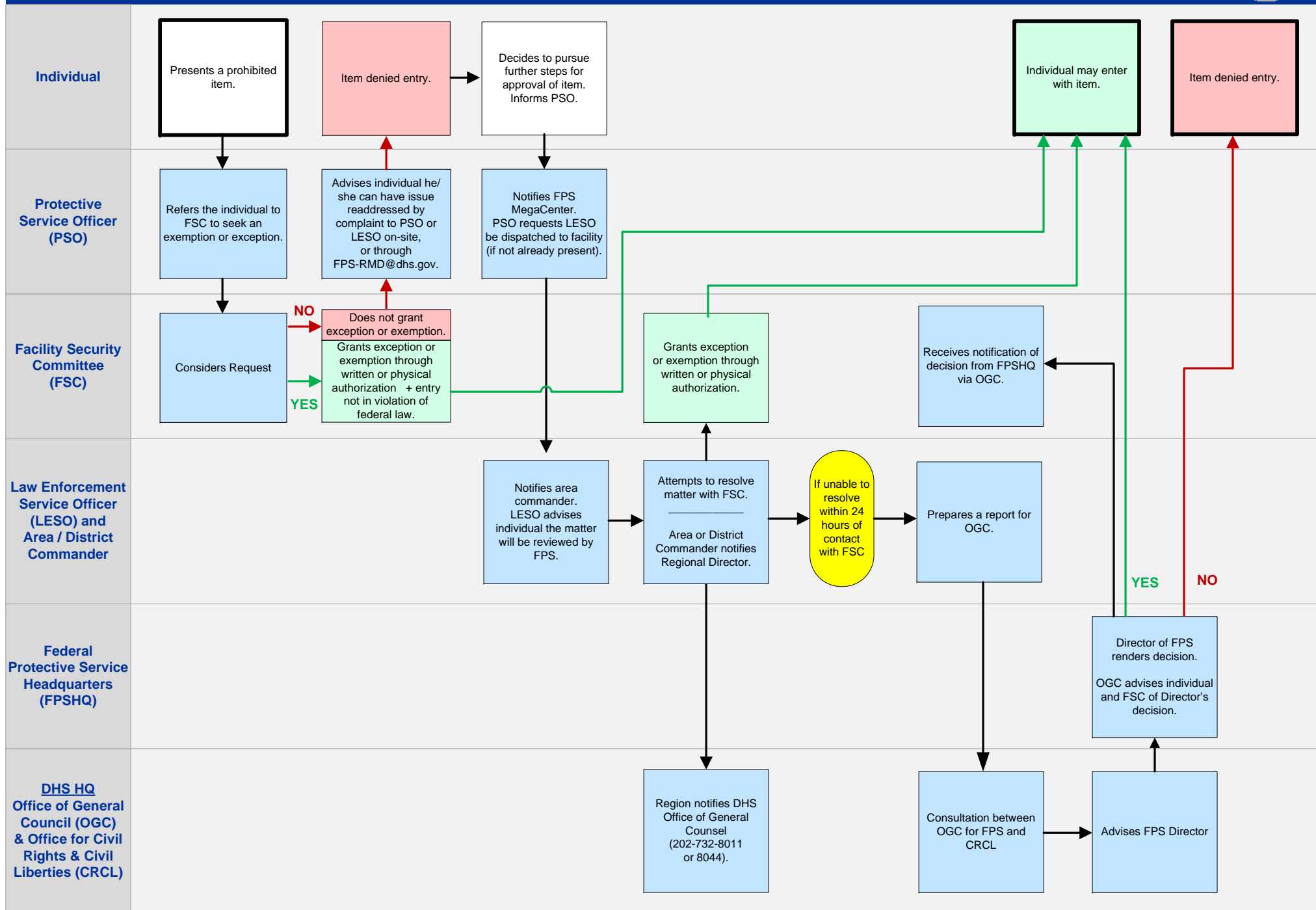
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Prohibited Items Report

Facility Name		Building Number	
Facility Address		Post Number	
City/State			

Date of Attempted Access MM/DD/YY	Item Type <i>(check all that apply)</i>						Item Description	3155 Case Number (If applicable)
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